

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

AMBER SIMPSON, BRITNEY FOS-
TER, STEPHANIE OLIVARRI,

Plaintiffs,

v.

JOE CISNEROS,

Defendant.

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CIVIL NO. W-20-CV-00716-ADA

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 55. The Report recommends that this Court grant-in-part and deny-in-part Defendant's Motion for Summary Judgment. Specifically, the Report recommends that this Court grant summary judgment to Defendant on Plaintiffs' Eighth Amendment claims but deny summary judgment to Defendant on Plaintiffs' Fourteenth Amendment claims. The Report and Recommendation was filed on September 1, 2023.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm'n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United States Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996)).

Defendant filed objections on September 12, 2023. ECF No. 56. As of the date of this order (which is more than fourteen days from the date the Report and Recommendation was filed),

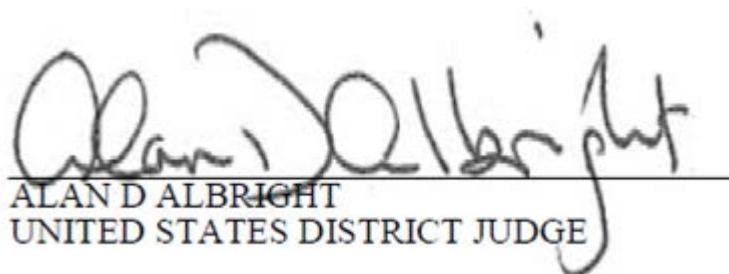
Plaintiffs have not filed objections. The Court has conducted a *de novo* review of the motion for summary judgment, the response, the report and recommendation, the objection to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 55, is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's objections are **OVERRULED**.

IT IS FINALLY ORDERED that Defendant's Motion for Summary Judgment (ECF No. 50) is **GRANTED IN PART AND DENIED IN PART** in accordance with the Report and Recommendation.

SIGNED this 19th day of September, 2023.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE